

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

GATE GUARD SERVICES, L.P. and BERT STEINDORF,)	
)	
Plaintiffs/Counter-Defendants,)	Civil Action File No. 6:10-cv-91
)	
v.)	JURY
)	
HILDA L. SOLIS, SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR,)	
)	
Defendant/Counter-Plaintiff.)	

SUPPLEMENTAL DECLARATION OF BERT STEINDORF, JR.

1. My name is Bert Steindorf, Jr. I am personally familiar with matters set forth herein and if called to testify, I could and would do so competently.

2. This Supplemental Declaration is intended to supplement my Declaration dated May 29, 2012 which was filed with the Court in conjunction with GGS's opposition to the Secretary's Motion for Partial Summary Judgment in the above-captioned matter.

3. As I stated in Paragraph 10 of my Declaration dated May 29, 2012, GGS's customers (the oil and gas companies with whom it contracts) or the landowners where the gates are located sometimes request that everyone onsite, including the Contractor Gate Attendants, follow safety and quality control rules. The oil or gas company or landowner communicates these rules verbally and/or in writing directly to the Contractor Gate Attendants or sometimes to GGS. As I testified in my prior declaration, examples of these rules include the: (1) prohibition of alcohol, firearms onsite, cigarette butts, trash on the ground; (2) prohibition of flip flops,

sandals and shorts; (3) adherence to safety attire such as a hard hat, safety boots and/or safety glasses; and (4) requirement that traffic logs be complete.

4. The oil or gas company or the landowner sometimes distributes these written safety and quality control standards to the Contractor Gate Attendant directly or to GGS. If a written communication is given to GGS, then GGS passes the written communication on to the Contractor Gate Attendant. GGS does not enforce these safety and quality control standards and did not participate in their creation. Examples of these communications are as follows: (a) Exhibit A is a copy of XXXXX's "Contractor Safety Program"; (b) Exhibits B and C are copies of XXXXX's "Gate Guard Checklist" and "Gate Guard Scope of Work" policy; (c) Exhibit D is a Lease Gate Guard "Check-in List" which was provided to the Contractor Gate Attendants by XXXXX.

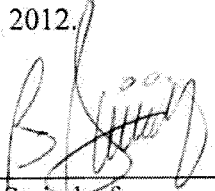
5. Although I diligently looked for documents similar to those attached hereto prior to executing my prior declaration, I was unable to locate all of them in sufficient time. Upon discovering the additional documents attached hereto as Exhibits A-D respectively, I have promptly executed this declaration.

6. This declaration does not modify or change my earlier testimony. Instead, it is intended solely to supplement my earlier testimony in order to provide specific examples of the documents about which I have already testified.

[SIGNATURE ON NEXT PAGE]

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this 5th day of December, 2012.



Bert Steindorf

EXHIBIT A
IS BEING FILED UNDER SEAL

EXHIBIT B
IS BEING FILED UNDER SEAL

EXHIBIT C
IS BEING FILED UNDER SEAL

EXHIBIT D
IS BEING FILED UNDER SEAL

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UNITED STATES DEPARTMENT OF LABOR,)	
)	
Defendant/Counter-Plaintiff,)	
)	

CERTIFICATE OF SERVICE

This is to certify that on this date I have electronically filed the foregoing SUPPLEMENTAL DECLARATION OF BERT STEINDORF, JR. with the Clerk of Court via the CM/ECF system and have served a copy of the filed documents via electronic mail and U.S. mail to the following counsel of record:

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This 7th day of December, 2012.

**CHAMBERLAIN HRDLICKA
WHITE WILLIAMS & AUGHTRY**

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